A Yes. The only one and I haven't contacted him; he lives here in Frederick and AI should have contacted him but I haven't been able to get around myself because I have been sick - operations and that; three or four operations and I am going back for another one December 3. That is my brother, Howard, who lives on East Fourth Street and he is practically blind and he wouldn't be able to take care of it because . . . .

Court: Well, I was just wondering whether there was any disagreement amongst the family in regard to this proceeding?

A No, the other sister has been talked to and the other - Helen, that is the widow of the brother Charles, she was just told this past week about it.

Court: All right.

KATHERINE E. LEVINE, Petitioner, was called upon to testify and, after being duly sworn, testified as follows:

## By Mr. Offutt:

- Q Now, Mrs. Levine, would you state your name, age and residence?
- A Katherine E. Levine, 304 Beechfield Avenue, zone 29; I was born 1929.
- Q And what relation are you to Jesse N. Smith?
- A I am his daughter.
- Q Have you visited your father since he has been admitted to Springfield State Hospital?
  - A Yes.
  - Q On how many occasions have you been there approximately?
- A Last Sunday. I guess I have been there quite a few times. I never counted.
  - Q You have been there a number of times since August?
- A Yes. You see, they only have visitors on Wednesdays and Sundays. I don't think I have missed a Wednesday.
- Q What are your observations as to Mr. Jesse N. Smith being mentally and physically able to look after and manage his own property and estate?
  - A Well, he is incapable. He couldn't manage it at all.
- Q Whare are some of your observations of his mental capacity when you visited him? \_